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26 *Ultimate Fighting Championship and UFC*

27 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
28 Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
on behalf of themselves and all others similarly  
situated,

29 Plaintiffs,

30 v.

31 Zuffa, LLC, d/b/a Ultimate Fighting  
32 Championship and UFC,

33 Defendant.

34 No.: 2:15-cv-01045-RFB-(PAL)

35 **DECLARATION OF STACEY K.**  
36 **GRIGSBY IN SUPPORT OF ZUFFA,**  
37 **LLC'S PROPOSAL REGARDING**  
38 **THE TREATMENT OF PROTECTED**  
39 **MATERIAL FOR THE**  
40 **EVIDENTIARY HEARING ON**  
41 **CLASS CERTIFICATION**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia and the bar of  
 3 the State of New York. I am admitted *pro hac vice* to practice before this Court. I am a Partner in  
 4 the law firm Boies Schiller Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above  
 5 captioned action in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No.  
 6 2:15-cv-01045-RFP-PAL.

7 2. I make this declaration in support of Zuffa’s Proposal Regarding the Treatment of  
 8 Protected Material for the Evidentiary Hearing on Class Certification. Based on my personal  
 9 experience, knowledge, and review of the files, records, and communications in this case, I have  
 10 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would  
 11 testify competently to those facts under oath.

12 3. Counsel for Zuffa have met and conferred with counsel for Plaintiffs telephonically  
 13 three times in an effort to reach an agreement about sealing parameters for the evidentiary hearing.  
 14 Counsel for Zuffa met and conferred with counsel for Plaintiffs first on December 20, 2018, second  
 15 on December 27, 2018, and third on January 4, 2019.

16 4. During the three meet and confer sessions, I asked counsel for Plaintiffs whether  
 17 Plaintiffs would be amenable to agreeing to keep any material Zuffa designated as confidential under  
 18 seal. Other than as listed below, Plaintiffs stated then—and have since maintained the position—that  
 19 they did not believe any of Zuffa’s material was properly filed under seal. As a result, I concluded  
 20 that we were at an impasse.

21 5. After our three meet and confer sessions, on January 7, 2019, Plaintiffs told me that  
 22 they were amenable to two sets of compromises regarding material that should be protected from  
 23 public disclosure.

24 6. First, Plaintiffs agreed to keep confidential “information relating to the specifics of  
 25 individual fighter’s compensation” unless the athletes at issue have consented to disclosure.

26 7. Second, while claiming that “Zuffa’s negotiating position with fighters is not  
 27 confidential,” Plaintiffs agreed that “[t]o the extent that any documents or information reference  
 28 individual fighters, Plaintiffs would agree (absent specific consent from the fighter) to redact the

1 fighter(s)' name in open court, but otherwise do not agree to limit disclosure of this information."

2       8. In their January 7, 2019 communication, Plaintiffs stated that they believed that  
3 Zuffa's event level revenue information was not confidential, that they did "not believe that wage  
4 share information of any promoter should be confidential," and that "expert reports and  
5 testimony"—other than references to individual athlete compensation—are not confidential.

6       9. Plaintiffs have never attempted to begin any challenges to Zuffa's confidentiality  
7 designations as provided for in paragraph six of the Protective Order currently in force, ECF No.  
8 217.

9       10. To the best of my knowledge and belief, Plaintiffs have not attempted to begin any  
10 challenges to a non-party's confidentiality designations as provided for in paragraph six of the  
11 Protective Order currently in force, ECF No. 217.

12

13       I declare under penalty of perjury under the laws of the United States of America that the  
14 foregoing facts are true and correct. Executed this 9th day of January, 2019 in Washington, DC.

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/s/ Stacey K. Grigsby

16 Stacey K. Grigsby

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